

REMARKS

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

In the Final Office Action, the Examiner rejected claims 1-12, under 35 U.S.C. §112, ¶2, as allegedly containing indefinite terms; rejected claims 1-12, under 35 U.S.C. §101, as allegedly being directed to non-statutory subject matter; and rejected claims 1 and 4, under 35 U.S.C. §102(e), as allegedly being anticipated by Yabe '334 (U.S. Patent No. 6,895,334). The Examiner also indicated that claim 13 would be allowable if rewritten in independent form.

Applicants disagree with the Examiner's rejections. However, solely in an effort to expedite the successful prosecution of the present application, Applicants have amended claims 1-12 and have cancelled claim 13 without prejudice or disclaimer. Applicant submits that no new matter has been added. Thus, claims 1-12 are currently submitted for examination, of which claims 1 and 4 are the sole independent claims.

Specifically, the changes to independent claims 1 and 4 incorporate the subject matter of claim 13, which the Examiner acknowledged as containing patentable subject matter. Applicants submit that these changes not only obviate the §102(e) rejections, but also overcome the §112, ¶2 and §101 rejections. As such, claims 1 and 4 are clearly patentable. Moreover, because claims 2-3 and claims 5-12 depend from claims 1 and 4, claims 2-3 and claims 5-12 are patentable at least by virtue of dependency as well as for their additional recitations.

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's Representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner

feels may be best resolved through a personal or telephone interview, please contact the Undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 03-3975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully Submitted,

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